

United States District Court  
For the Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
JOSE JESUS MADRIGAL-DIAZ,  
Defendant.

No. CR 07-0309 WHA

**ORDER CONTINUING HEARING**

At the conclusion of the evidentiary hearing on defendant's Section 2255 motion on April 15, the Court accommodated counsel's scheduling preferences in setting a post-hearing briefing deadline of May 6 and a date for a further hearing on the motion of May 11. Part of the reason for the delay in these dates was government counsel's representation that she was starting a trial in front of another judge and wanted to be able to complete briefing after that trial concluded.

Not three days after our dates were set, government counsel's trial got continued, and was thereupon set to start with jury selection on the same day as our hearing. Rather than move to advance our dates, government counsel waited and now moves to continue the hearing date (though not the briefing deadline) for over a week or more. This is an unfortunate further delay.

1 Nevertheless, as the hearing cannot occur on May 11, it is continued to **MAY 18, 2011, AT 2:00**

2 **P.M.**

3 **IT IS SO ORDERED.**

4  
5 Dated: May 6, 2011.  
6



---

WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE